

In spite of our limited contact, and the passage of 45 years, our friendship has never wavered. I am so proud of Jim and his accomplishments.

I recently wrote Jim a letter, expressing sympathy at the passing of his dear father. Little did I know when I wrote the letter that Jim was ill himself. As soon as I learned of his condition I called him, after worrying the entire weekend about my high school buddy.

When I called, I hoped I would be able to perk him up. But just the opposite occurred. Jim, always the physician, cheered me up.

He said, in effect, I am so fortunate to have the life I have, a wonderful family, and time to plan for the future.

I am sorry I can't attend the event to celebrate Jim's outstanding career, and at the same time—this sounds just like Jimmy Pitts—raise money for the Cancer Treatment Center at Carson-Tahoe Hospital.

Jimmy, may you know from your old boyhood friend of my love and affection.

Thinking of you, I am reminded of the old Jewish saying: "Who finds a faithful friend, finds a treasure."

Fifty years ago, I made a friend, and I found a treasure. Jimmy Pitts has truly been a blessing in my life.

Thank you, Jimmy.

CHANGES TO H. CON. RES. 95 PURSUANT TO SECTION 403 SCHIP RESERVE FUND ADJUSTMENT

Mr. NICKLES. Mr. President, section 403 of H. Con. Res. 95, the FY 2004 budget resolution, permits the chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Finance, provided certain conditions are met.

Pursuant to section 403, I hereby submit the revisions to H. Con. Res. 95, and I ask unanimous consent that the revisions be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

	(\$ in millions)
Current Allocation to Senate Finance Committee:	
FY 2003 Budget Authority	766,693
FY 2003 Outlays	770,464
FY 2004 Budget Authority	769,846
FY 2004 Outlays	773,735
FY 2004-2008 Budget Authority	4,617,937
FY 2004-2008 Outlays	4,627,228
FY 2004-2013 Budget Authority	10,991,162
FY 2004-2013 Outlays	11,006,226
Adjustments:	
FY 2003 Budget Authority	1,259
FY 2003 Outlays	20
FY 2004 Budget Authority	1,325
FY 2004 Outlays	85
FY 2004-2008 Budget Authority	685
FY 2004-2008 Outlays	760

	(\$ in millions)
FY 2004-2013 Budget Authority	560
FY 2004-2013 Outlays	890
Revised Allocation to Senate Finance Committee:	
FY 2003 Budget Authority	767,952
FY 2003 Outlays	770,484
FY 2004 Budget Authority	771,171
FY 2004 Outlays	773,820
FY 2004-2008 Budget Authority	4,618,622
FY 2004-2008 Outlays	4,627,988
FY 2004-2013 Budget Authority	10,991,722
FY 2004-2013 Outlays	11,007,116

TRIBUTE TO DAVID ACKERMAN

Mr. LUGAR. Mr. President, I wish to take this opportunity to recognize a fine public servant who just retired this past August from the Congressional Research Service. David Ackerman is a sterling example of the expertise we in the Congress can call upon to assist us in our legislative responsibilities. I know Senator BIDEN joins me recognizing Mr. Ackerman for his splendid accomplishments during his career at CRS. Mr. President, I ask unanimous consent that a summary of Mr. Ackerman's career be included in the record as part of my remarks. Mr. Ackerman devoted nearly 30 years to supporting Congress in his role as legislative attorney for the American Law Division of CRS. His areas of expertise were international law, foreign affairs and first amendment church-state issues and he applied a keen legal mind and sensitivity for balance and non-partisanship in providing Congress with the informed and objective analysis we need. Dave Ackerman joined CRS in 1974 after graduating with distinction from Georgetown University Law School. Prior to his legal career, after graduating magna cum laude from Knox College, he worked on Capitol Hill in the Washington office of the National Council of Churches. At CRS, Dave quickly established himself as an attorney with the legal analytical skills necessary to provide Members and committees of Congress with high level support on some of the most complex questions facing them in their legislative and oversight roles. He did this with the professionalism, objectivity, and devotion to client support that we in the Congress value in CRS. Dave's career saw numerous awards and recognition for outstanding performance by CRS as well as expressions of commendation by congressional clients. His work was referred to and reprinted widely during congressional deliberations and in a variety of congressional publications. Among the most notable of the latter, are his contributions over the years to the Senate Foreign Relations Committee Print, "Treaties and Other International Agreements: The Role of the United States Senate," a seminal work and invaluable reference resource on this important topic. Mr.

Ackerman's work ranged over many of the controversial issues faced by the Congress and the country over the last 30 years. In the international/foreign affairs law area, Dave wrote extensively on the respective roles of Congress and the executive in waging war and conducting foreign affairs. Both Gulf wars and the Somalia, Kosovo and Afghanistan conflicts raised their own issues of presidential power and congressional prerogatives and Dave was an invaluable source of legal analysis for the Congress, assisting it in understanding this complex interplay. Mr. Ackerman also provided Congress with sophisticated analyses of such issues as the legal implications for treaties of the break-up of the Soviet Union, the termination of the ABM treaty, NATO enlargement, the Kyoto protocol and the International Criminal Court. Recently, Mr. Ackerman has written extensively on the legally—and politically—complex issue of suits over terrorist acts in United States courts. Both the courts and Congress have struggled to develop solutions to this problem, balancing justice for victims with delicate foreign policy concerns. A remarkable aspect of Mr. Ackerman's career with CRS was his ability to range over a number of areas of law. Dave was also a recognized expert on the separation of church and state. The first amendment's commands regarding the establishment of religion and the free exercise of religion have produced some of the most heated debates in the courts and Congress, whether it be prayer or the Pledge of Allegiance in the schools or government aid to religious institutions. Dave was able to write on these issues with a clarity and acumen that enabled Congress to understand the ever-changing law of church and state in its legislative deliberations. In the finest traditions of CRS, Mr. Ackerman brought objectivity and even-handedness to an area that invariably elicited strong emotions and heated argument. Congress and CRS will miss the expertise of David Ackerman. He represented the best of what we have come to expect from CRS. Fortunately, a body of work remains that will inform the Congress for years to come. We wish Dave and his family all the best in his future endeavors.

HONORING OUR ARMED FORCES

Mr. GRASSLEY. Mr. President, I rise today to honor an Iowan who has given his life in service to his country. PFC David Kirchhoff suffered heat stroke in Iraq and was evacuated to a base in Germany where he died. His wife Brooke was with him when he passed away. Private Kirchhoff is the fifth Iowan and the first member of the Iowa Army National Guard to be killed since the start of military operations in Iraq. David Kirchhoff graduated from Metro High School in Cedar Rapids, IA and lived most recently in Anamosa. In addition to his wife Brooke, David leaves

behind his parents, Larry and Nancy Kirchhoff, and two children. Nothing I can say can alleviate their sense of loss, but they remain in my thoughts and prayers. The death of a fellow Iowan brings home the incredible cost of war for me and for other Iowans. David Kirchhoff served his country honorably and was a dedicated soldier, but it is important that we remember him also as a husband, a son, a father, and a friend. Many Iowans are getting to know David Kirchhoff through news stories. We can identify with him and I know many people feel his loss whether they knew him or not. As we honor his tremendous sacrifice, we also honor his life and his memory lives on.

Mr. President, I also come before the Senate today to pay tribute to a fellow Iowan, PVT Michael J. Deutsch. On July 31, 2003, while serving our country in Operation Iraqi Freedom, Private Deutsch was killed when an explosive round hit the armored personnel vehicle in which he was riding. A 2000 graduate of Dubuque Senior High School, Michael Deutsch joined the U.S. Army in 2002. He served with the 1st Squadron, 1st Armored Cavalry Division in Buding, Germany before being deployed to Iraq. I would like to express my deepest sympathy to his parents, Wayne and Ilene Deutsch, as well as the rest of his family, his friends, and his community during these difficult times as they cope with their loss. All of America mourns its fallen sons and daughters, yet we feel an overwhelming sense of appreciation for those who risk their lives for our sake. It's soldiers like Michael that protect our country against those who wish to steal what generations of Americans have worked so hard to maintain—our freedom.

After leaving for the Army, Michael wrote these words to his father:

When changes come we're never ready.
Always thinking of what we should have done.

But I am strong.

You have seen to that.

As I move on I carry with me that which you have given to me, your love.

It is always a tragedy when a young life is ended prematurely, but Private Michael J. Deutsch's legacy of bravery and ultimate sacrifice is one for which we, as Americans, will forever be in his debt.

Mr. LIEBERMAN. Mr. President, at a time when our country's security is challenged on so many fronts, there are those among us who lament that this generation is too inward looking and too selfish to stand up to the task that has befallen them. But they are wrong.

There are Americans, who, raised in a cold conflict with a foe now long past and used to the privilege of liberty and justice, still choose to define themselves by their service to their countrymen and to men and women the world over whom they have never met but for whose freedom they would lay down their lives in sacrifice.

Army SSG Richard S. Eaton Jr. of Guilford, CT, was one such man, and it

is in his honor that I rise to speak today.

Sergeant Eaton, who was assigned to the Army's 323rd Military Intelligence Battalion, Fort Meade, was a mere 37 years old when he died in Ramadi, Iraq, on August 12 of this year.

Of poor consolation to his family and friends is that Sergeant Eaton died while doing what he loved—soldiering in the service of his Nation.

Soldiering and service defined this young man's life and were in his blood; he had many relatives who had served in the U.S. military, including Civil War GEN Amos Eaton, William Eaton, who helped reinstate the deposed leader of Tripoli and rescue American captives in the early 1800s, and both of Sergeant Eaton's grandfathers, who were veterans of World War I and World War II, respectively.

Sergeant Eaton learned about a soldier's life from the stories that his grandfathers told about their own service and the service of their ancestors, and in that retelling, a young Richard Eaton Jr. found something that transfixed him, some quality of honor, of humility, of service. He decided he wanted to be a soldier.

In this goal, Sergeant Eaton succeeded like few soldiers ever do, and for his valor he will be posthumously awarded the Bronze Star for Valor. According to his friends, family, and colleagues, Sergeant Eaton served capably, honorably, and humbly. He never bragged about his numerous citations and commendations, which he only accidentally unveiled to his family when on leave from active duty in Honduras.

When his nearly decade-long tour of duty with the Army was over, Sergeant Eaton went to work at the Pentagon for a military contractor. Still a member of the Army Reserves, he was activated for service this winter and reported for duty to Iraq.

Through his service, Sergeant Eaton demonstrated the best ideals of the American people: service in the face of adversity, a striking unselfishness, and sacrifice not only for his own countrymen, but also for a people whom he had never met.

And so today, I join the senior Senator from Connecticut, Mr. DODD, Governor Rowland, and the people of a grateful State and Nation in paying my most sincere condolences to Sergeant Eaton's family, and my deepest respects to the departed sergeant himself.

Our hearts and prayers go out to his parents in their time of grief.

Know that your son's contributions and ultimate sacrifice will not soon be forgotten.

ADDITIONAL STATEMENTS

TRIBUTE TO E.W. DENNISON

• Mr. BUNNING. Mr. President, I wish to pay tribute to E.W. Dennison, the Murray State University Athletic Di-

rector. Mr. Dennison is an outstanding leader under whose guidance Murray State University has achieved an important balance between athletics and scholarship.

In the 6 years since Mr. Dennison assumed his position as athletic director, Murray State University has seen a marked improvement in its graduation rate for student athletes. According to the Chronicle of Higher Education's 2003-2004 Almanac issue, Murray State University ranks first for having the highest graduation rate among NCAA Division I institutions in Kentucky. This is the second straight year Murray State University has led Kentucky's State-funded institutions in graduation rates of athletes. Prior to Mr. Dennison's tenure as athletic director, it had been several years since Murray State University graduated a senior basketball player. This year Mr. Dennison boasts the readiness of several senior basketball players to graduate.

Additionally, Mr. Dennison has set high standards for academic achievement. The grade point average (GPA) for student athletes at Murray State University is as high as the GPA of the larger student body. Mr. Dennison stresses the importance of good study habits and higher learning and his athletes will graduate with a preparedness for more than just athletics.

Murray State University's athletics programs are poised for a record-setting year on the playing field this year. The balance of academics and athletics that Mr. Dennison has achieved has not come at the expense of either discipline. Rather, Murray State University student athletes are excelling in the classroom and on the playing fields.

Mr. Dennison is a paragon of leadership in Kentucky's institutions of higher education, and his leadership is one that should be emulated across this country. He is a tribute to Kentucky. I thank the Senate for allowing me to honor this remarkable man.●

LOCAL LAW ENFORCEMENT ACT OF 2003

• Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Washington, D.C. On August 16, 2003, Elvys Augusto Perez, 25, was shot and killed. Mr. Perez was an immigrant from Guatemala who dressed and lived as a woman. Police have classified the first-degree murder as a hate crime.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement